Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 007-01273-5800-145	Date: 10/8/07	Time: 1510 hours	
Location: 450 Bauchet Street, Tower 2 Module 252			
City or Station: Los Angeles CA 90012			
Bureau/Station/Facility: Custody Division/Twin Towers Correctional Facility		Admin. Investigation: YES ☐ NO ☒	
Type of Force: Significant Force/Personal Weapons			
Deputy Injury: YES ☐ NO ☒		Internal Affair Notified: YES ☒ NO ☐	
Suspect Injury: YES ☒ NO ☐	Minor abrasion above right eye	Internal Affair Roll Out: YES ☐ NO ☒	

Involved Employee

E1

Employee # [redacted]	Last Name: Renderos	First Name: Evelyn	Middle Name: None
Sex: ☐ Male ☒ Female	Race: H	Unit of Assignment: Twin Towers Correctional Facility	Work Assignment (Unit #, Module, etc.): Module 252
Shift: ☐ EM ☐ Day [redacted]	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: 31 Height: 5' 02"	Weight: 150
Medical Exam/Treatment ☐ If Admitted, Name of Hospital: Not applicable		Coroner Case #	Directed Force ☐ Significant Force ☒

Statement: Deputy Renderos stated she saw that inmate Olivero was intoxicated. He became verbally abusive and failed to follow her commands. She handcuffed him and walked him to the outdoor recreation area. Deputy Escalera came to assist her. The inmate kicked the door then placed his foot on the door and pushed back. She and Deputy Escalera walked the inmate into the outdoor recreation area. The inmate lunged forward, broke free of their grasp, spun quickly, kicked Deputy Escalera in the leg. He also spit at Deputy Escalera. Deputy Escalera pushed the inmate's face to the side to avoid being spat upon. He forced the inmate forward onto the ground. He tried to pin the inmate down. I/M Olivero violently resisted by kicking and turning side to side spitting at both Deputies. Deputy Escalera struck the I/M in the face twice and the lower back twice to stop the attack. She pinned the Inmate's head to the ground to avoid being spat upon. Seeing he was still trying to spit at her and her partner she sprayed him with Freeze Plus P. He stopped fighting. She and he partner exited the area without further incident.

Statement continue: ☐

E2

Employee # [redacted]	Last Name: Escalera	First Name: Steven	Middle Name: Michael
Sex: ☒ Male ☐ Female	Race: H	Unit of Assignment: Twin Towers Correctional Facility	Work Assignment (Unit #, Module, etc.): 252
Shift: ☐ EM ☐ Day [redacted]	☒ Regular Shift ☐ OT Shift ☐ Off Duty	Age: 23 Height: 6' 00"	Weight: 200
Medical Exam/Treatment ☐ If Admitted, Name of Hospital: Not Applicable		Coroner Case #	Directed Force ☐ Significant Force ☒

Statement: Deputy Escalera stated he was in the module control booth when he heard yelling. He exited the booth and saw Deputy Renderos escorting a handcuffed inmate to the outdoor recreation area. He went to assist Deputy Renderos. When they reached the door the inmate kicked the door then placed his foot on the door and pushed back. They entered the outdoor recreation area. The inmate lunged forward breaking their grasp. The inmate spun quickly, kicked him in the leg and spat at him. He pushed the inmates face to the side, grabbed him, and forced him to the ground. He tried to pin the inmate down. I/M Olivero resisted violently by kicking at both Deputies, turning side to side, and spitting at them. He struck the inmate twice in the face and twice in the lower back to stop the assault. He saw Deputy Renderos try to pin the inmate's head down. He spit at her. She sprayed him once with her Freeze Plus P. The inmate stopped fighting. He and Deputy Renderos exited the area without further incident.

Statement continue: ☐

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	Strickland	Michael	Allen	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	Rodriguez	Manuel	A.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	Slaughter	Douglas	A.

Lt. Douglas Slaughter
Watch Commander (**Print Name**) | Watch Commander's **Signature**: | Emp #: | Date

Sgt. Michael Strickland
Supervisor Completing Form: (**Print Name**) | [redacted] Emp #: | Sgt. Michael Strickland Copy Provided to Employee by: | [redacted] Emp #:

Captain Gregory Adams
Unit Commander (**Print Name**) | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only
FO#

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P(Rev. 7/04)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 007 - 01273 - 5800 - 145

Suspect Information

S 1

Last Name: Olivero		First Name: Angel		Middle Name: M		
AKA Last Name: None		First Name:		Middle Name:		
Sex: ☒ Male ☐ Female	Race: H	Street Address: [redacted]		City: [redacted]	State & Zip Code: [redacted]	
Work Phone: None	Home Phone: None	Age: 38	Height: 5'07"	D.O.B. 07/27/69	Weight: 186	Armed? ☐

Booking #: 9935850 Primary Charge Code: 69 PC Secondary Charge Code: Criminal History ☐

EMT in attendance? ☐ YES ☒ NO Name: N/A Unit: Phone #:

EMT's Statement:

Hospital Admission? ☐ Rec'd Treatment At: Twin Towers Correctional Facility Coroner Case #: Mental History ☐

By Doctor: Nurse Buenaventura Address: Twin Towers Correctional Facility, Tower 2 Clinic Phone #: (213)893-5100

Doctor's Statement: Inmate Olivero was treated in the tower clinic by Nurse Buenaventura #[redacted]. The nurse noted lacerations above and below his right eye. A red face and swelling about his face. His knees were red. Inmate Olivero denied any other injuries.

Under Influence: ☒ YES ☐ NO Substance: Pruno Photos of Suspect's Injuries ☐ YES ☒ NO

Suspect Interview

Date: 10/08/07 Time: 1900 Audiotape: ☐ Videotape: ☒

Statement: On 10/08/07, at approximately 1700 hours, I interviewed Inmate Olivero. He was in the Tower Two Clinic. He stated he was walking to visiting when he was "beat up" and "maced" by Deputies. He remembers being given verbal commands, but not being handcuffed. When asked if he kicked the door he stated "I remember doing a lot of things and making a lot of noise". He denied drinking pruno. The inmate stated he had taken muscle relaxers in the morning. Later in the interview he denied being given verbal commands. It should be noted that the inmate claimed Deputy Renderos told his cellmate that she didn't like I/M Olivero. I interviewed the cellmate and found that to be untrue.

Statement continue: ☐

S_

Last Name		First Name		Middle Name		
AKA Last Name		First Name		Middle Name		
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:	State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐

Booking #: Primary Charge Code: Secondary Charge Code: Criminal History ☐

EMT in attendance? ☐ YES ☐ NO Name: Unit: Phone #:

EMT's Statement:

Hospital Admission? ☐ Rec'd Treatment At: Coroner Case #: Mental History ☐

By Doctor: Address: Phone #:

Doctor's Statement:

Under Influence: ☐ YES ☐ NO Substance: Photos of Suspect's Injuries ☐ YES ☐ NO

Suspect Interview

Date: Time: Audiotape: ☐ Videotape: ☐

Statement:

Statement continue: ☐

Supervisor's Review

Brief Synopsis:

Inmate Olivero #9935850 was walking to the visiting area when Deputy Renderos noticed he was exhibiting signs of being intoxicated (stumbling, red, watery eyes, smell of alcohol). She asked the inmate if he was drunk. He replied "fuck you bitch". The inmate was walking directly toward Deputy Renderos. She ordered him to stop, turn around, and place his hands behind his back. He ignored the order and continued walking directly at her. Deputy Renderos, fearing for her safety, grabbed the inmate's arm and turned him toward the wall. She placed his hands behind his back and handcuffed him. He began yelling "fuck you, I'll fucking kill you, I'll fuck you up, you don't know who you are dealing with, suck my dick". Deputy Renderos began to escort him to the outdoor recreation area. Deputy Escalera, who was in the control booth, heard the inmate yelling, exited the control booth, and assisted Deputy Renderos in escorting the inmate to the outdoor recreation area. When they reached the door, the inmate kicked the door once. He then placed his foot on the door pushing back against the Deputies. The control booth officer opened the door remotely. They escorted the inmate into the outdoor recreation area. He lunged forward, breaking free of their grasp, spun to his side quickly, and side kicked Deputy Escalera in the left knee. As he kicked, he also spit at Deputy Escalera. Seeing the inmate was going to spit at him again Deputy Escalera pushed the inmate's face to the side to avoid being spit upon. He grabbed the inmate's upper arm and shirt and took the inmate to the ground. The inmate landed on his chest and face. Deputy Escalera, fearing the inmate would get up and continue his assault, tried to pin him to the ground. The inmate resisted violently, kicking at both Deputies, turning from side to side, and spit again at Deputy Escalera. The Deputies both gave continuous verbal commands to stop fighting and lay down. When the inmate again tried to spit on Deputy Escalera, the deputy punched the inmate twice in the face and head to stop the assault. The inmate continued kicking and Deputy Escalera punched him twice in the lower back to stop the assault. Deputy Renderos used her left hand to pin the inmate's head to the floor so he would not spit on her or her partner. Seeing the inmate was still kicking and trying to spit she sprayed him in the face with her department issued Freeze Plus P/O.C. The inmate was affected by the spray and stopped fighting. The Deputies exited the outdoor recreation area, closed the door, and notified Sgt. Strickland. The inmate received minor abrasions to his face and head. He was treated at the Tower Two clinic. He was transported to the Los Angeles County Medical center as a precaution.

Findings and Recommendations:
It is the conclusion of this Supervisor that the use of force used by the Deputies was appropriate based on Inmate Olivero's aggressive and assaultive behavior. Inmate Olivero's actions and demeanor precipitated the use of force by the Deputies. The force used to overcome the inmate's resistance was objectively reasonable and within Department guidelines.

The involved personnel were debriefed of this incident. The use of Freeze Plus P, as an option, earlier in the incident was discussed. The situation was tense, uncertain, and rapidly evolving therefore the force was objectively reasonable.

Recommendations: I recommend that no further action be taken in this matter.

Watch Commander Conclusion / Findings / Training Recommendation

Attachments: Deputies Use of Force Report Memos, Inmate Injury report, Internal Affairs Bureau-Mandatory Notification Form; AJIS printouts for Inmate David Olivero; Copy of 10-08-07 PM Shift TTCF in-service: Video Tape of Inmate Olivero interview. It should be noted that no photo's were taken of the inmate's injuries. T.T.C.F. had no working digital camera at the time of the incident.

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Inmate Olivero	S#1	Deputy Renderos	E#1	UC	NN	
Inmate Olivero	S#1	Deputy Renderos	E#1	PK	NN	
Inmate Olivero	S#1	Deputy Renderos	E#1	BF	NN	
Inmate Olivero	S#1	Deputy Escalera	E#2	UC	NN	
Inmate Olivero	S#1	Deputy Escalera	E#2	PK	CP	LE
Inmate Olivero	S#1	Deputy Escalera	E#2	BF	NN	
Deputy Renderos	E#1	Inmate Olivero	S#1	CT	NN	
Deputy Renderos	E#1	Inmate Olivero	S#1	RH	NN	
Deputy Renderos	E#1	Inmate Olivero	S#1	PP	NN	
Deputy Renderos	E#1	Inmate Olivero	S#1	OC	CP	
Deputy Escalera	E#2	Inmate Olivero	S#1	CT	NN	
Deputy Escalera	E#2	Inmate Olivero	S#1	PP	NN	
Deputy Escalera	E#2	Inmate Olivero	S#1	TD	AB	FA
Deputy Escalera	E#2	Inmate Olivero	S#1	PH	AB/FR	FA
Deputy Escalera	E#2	Inmate Olivero	S#1	PH	NN	

INTERNAL AFFAIRS BUREAU
SIGNIFICANT USE OF FORCE
INVESTIGATIVE SUMMARY
IAB# FO 2207806

FILE#:	007-01273-5800-145
DATE / TIME:	Monday, October 8, 2007, 1510 hours
LOCATION:	450 S. Bauchet St., Los Angeles, Ca. , 90012 Twin Towers Correctional Facility, Tower 2, 2nd Floor Staging Area
SUSPECT:	Olivero, Angel (Inmate), MH/07-27-69, Booking #9935850
PERSONNEL:	Deputy Evelyn Renderos, #[redacted], 252F/1 - [redacted] Deputy Steven Escalera, #[redacted], 252F/2 - [redacted]

OVERVIEW:

On October 8, 2007, Suspect (Inmate) Olivero was walking to the visiting area when Deputy Renderos noticed him exhibiting signs of alcohol intoxication. As Deputy Renderos contacted Olivero and inquired about his sobriety, Olivero became loud and verbally abusive towards Renderos. Deputy Renderos used a control hold to detain Olivero, and began handcuffing him near the door to the visiting area. At this time, Deputy Renderos was joined by Deputy Escalera, who was in the officer's booth when he heard Olivero yelling at Deputy Renderos. Deputy Escalera assisted Deputy Renderos just as she completed handcuffing Inmate Olivero.

In order to secure and isolate Olivero, Deputies Renderos and Escalera escorted him towards the outdoor recreation area. Olivero continued to direct verbal abuse and obscenities towards Deputy Renderos. As Olivero entered the recreation area, he suddenly lunged forward, pulling away from the deputies. Olivero then turned sideways, facing the deputies, spat at Deputy Escalera, and then kicked Deputy Escalera's right knee. Deputy Escalera pushed Olivero's face away in an attempt to keep Olivero from spitting at him again, and utilized a takedown of the inmate. Olivero fell to the ground, landing on his chest and face.

On the ground, Olivero continued to violently resist the deputies' efforts to subdue him by kicking and spitting at them. Deputy Escalera punched Olivero twice in the face and twice to his lower back in an effort to stop Olivero's attack. Deputy Renderos pinned Olivero's head to the ground to prevent him from spitting, then sprayed Olivero in the face with her Freeze +P OC. The spray was effective and Olivero discontinued his assault.

It was initially believed that Suspect Olivero only received minor abrasions to his face and head during the incident. He was taken to the TTCF clinic, where he was seen and treated by Nurse J.M. Buenaventura for his injuries. However, during the course of the next two weeks, Inmate Olivero made several trips to the clinic and LCMC for pre-existing injuries and complaints of new pain. On October 31, 2007, MCJ personnel discovered that subsequent X-rays of Inmate Olivero revealed that he had sustained a fractured jaw as a result of the incident with Deputies Escalera and Renderos.

> **IAB Note:** At the time of the incident, Inmate Olivero was on pain medication for a pre-existing injury. It is believed that the medication, coupled with Inmate Olivero's sobriety, played a part in the initial diagnosis to the extent of his injuries sustained during the incident between Olivero and Deputies Escalera and Renderos.

Deputy Escalera complained of soreness to his right knee as a result of the incident, but declined medical treatment. Deputy Renderos was not injured.

A subsequent search of Suspect Olivero's cell revealed a plastic bag and two containers containing "pruno" (jail made alcoholic beverage). Inmate Olivero's [redacted], [redacted], stated that Olivero was drinking the "pruno" prior to leaving for his (Olivero's) visit.

INVOLVED PERSONNEL:

RENDEROS, Evelyn
Deputy Sheriff, Employee #[redacted]
Correctional Services Bureau
Twin Towers Correctional Facility - 252F/1

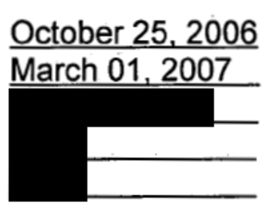
ESCALERA, Steven M.
Deputy Sheriff, Employee #[redacted]
Correctional Services Bureau
Twin Towers Correctional Facility - 252F/2

EMPLOYEE WORK HISTORY:

RENDEROS, Evelyn

Date of Employment:	August 02, 2006
Date assigned to Custody:	December 08, 2006
Completed Custody Training:	[redacted]
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incident(s):	

ESCALERA, Steven M.
Date of Employment: October 25, 2006
Date assigned to Custody: March 01, 2007
Completed Custody Training: [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incident(s): [redacted]



INVOLVED EMPLOYEE'S STATEMENTS:
The narrative which follows is a synopsis of Deputies Renderos and Escalera's IAB Force interview. Additional information and precise wording may be obtained by reviewing the transcript and/or audio tape of the interviews.

Deputy Evelyn Renderos
Deputy Renderos was interviewed by IAB investigators on December 6, 2007, at 1355 hours. That interview was audio-recorded and summarized as follows.

Upon [redacted] in [redacted], Deputy Renderos has worked at Twin Towers. She was working what she described as a "gang Module" 252 on the incident date. [redacted] was standing outside the Visiting Room door waiting for one more inmate to arrive. She had no idea who the late inmate was or which housing pod that he was coming from. As she stood outside the door, facing the staging area of the A-B-C pod, she saw Suspect Olivero exit the A-B-C pod door.

> **IAB Note:** The staging area is a section located directly in front of the officer's booth. This area is universal in that inmates or deputy personnel can go to different areas on the floor (Module Housing, Outdoor Recreation Room, or the Visiting Room) or to exit the floor to go to another area of the facility. Deputy Renderos provided a diagram of the staging area for Module 252. This diagram is presented as **Exhibit F.** Refer to TTCF's Schematic, **Exhibit E**.

Deputy Renderos said that she initially believed that the suspect had tripped over his feet when he opened the door. But as he continued walking towards her, she saw that the suspect's feet crossed, one in front of each other, as he walked and his body swayed. She also noticed that the suspect had difficulty walking around the dirty linen, which was laying on the floor. As the suspect approached closer to her, she saw that his face and eyes were red. She asked him if he was drunk, and the suspect removed his hands from his pockets, threw them up in the air, and said, "Fuck you, bitch!"

Believing that the suspect was going to fight her, Deputy Renderos ordered the suspect to stop, place his hands inside his pockets, and face the wall. The suspect did not comply with her orders as he continued towards her. As he came within two to three steps of her,

Deputy Renderos used her left hand to grab the suspect's left arm, while pushing him towards the wall. She then placed his left arm behind his back in a Departmentally approved rear wrist lock and grabbed and secured his right hand, ordering him to keep his hands behind his back.

Deputy Renderos said as she was handcuffing the suspect, he yelled out obscenities such as: "Fuck you bitch," "Fuck you and your grandma," "Suck my dick," and "I'm gonna fuck you up." He also moved his body from side to side in an attempt to spit on her. When Suspect Olivero spoke, she could smell alcohol on his breath, and believed that he had consumed some jail made alcohol ("pruno"). After handcuffing the suspect, Deputy Renderos saw Deputy Escalera exit the officer's booth and run to assist her.

Due of the suspect's assaultive behavior, coupled with the fact that the inmates in the Visiting Room were about to receive their civilian visitors, Deputy Renderos decided to isolate the suspect and escort him to the Outdoor Recreation Room, which was located approximately twenty feet away from where they were standing.

> **IAB Note:** The Outdoor Recreation Room is located adjacent to both the housing (Pod) and staging area. There are no windows and the upper portion of one wall consists of metal mesh and bars, which allows the outside air to come into the room. Deputy Renderos said that in her training, she was told that when an inmate becomes uncooperative, the plan is to isolate the problem. This is done by either placing the inmate in the Visiting Room or Outdoor Recreation Room. I spoke to IRC's Training Sergeant, William Chaffin. He said that although it is not a policy or a Unit Directive, this technique is commonly used to immediately and temporarily isolate or separate uncooperative inmates.

Deputy Renderos said that she stood to the suspect's left side and grabbed his left hand; while Deputy Escalera stood on the suspect's right side and held the suspect's right hand. As they walked Suspect Olivero toward the Outdoor Recreation Room door, Olivero continually yelled out obscenities and threats towards them ("Fuck you both," "I'm gonna have my homies fuck you up," and "They're gonna kill you under the bridge."). She and Deputy Escalera had to assist Olivero in walking, because he appeared drunk and couldn't walk on his own. Further, in between the verbal assaults and threats, the suspect attempted to turn his body from side to side, trying to spit on them. When they were walking with the suspect, she saw that Suspect Olivero had spat on Deputy Escalera.

> **IAB Note:** During her interview, Deputy Renderos pointed to the upper portion of her shirt (chest area), illustrating the area in which Suspect Olivero spat on Deputy Escalera (refer to Deputy **Renderos' transcripts, page 21**.).

Deputy Renderos stated that when they reached the door to the Outdoor Recreation Room, Deputy Escalera yelled to the officer's booth for the door to be "popped" open.

When the door "popped," Suspect Olivero tried to kick the door open. He couldn't reach the door, so the door self-locked. She said Deputy Escalera yelled a second time for the door to be opened. Deputy Escalera used his right foot to hold the door open. As they started to walk inside, Olivero pushed the door with his upper body, then pulled forward, freeing himself from the Deputies' grips. The Recreation Room door closed and locked behind them. Suspect Olivero then turned around to his left, simultaneously raised his left leg, and kicked Deputy Escalera once on his left knee, while also spitting at him.

Deputy Renderos said Suspect Olivero kept trying to spit and kick at Deputy Escalera, so Escalera used his left hand to push Suspect Olivero's face away from him. Deputy Escalera then grabbed the suspect's right arm and took him to the ground. The suspect landed face down on the concrete surface with Deputy Escalera falling with him.

Deputy Renderos stated that they gave Suspect Olivero commands to stay on the ground so that they could exit the Recreation Room, but the suspect kept trying to get up as he attempted to lift his body upward while trying to kick at Deputy Escalera. She said Deputy Escalera was on the suspect's right side trying to hold him down by placing his hands across the suspect's upper back to prevent him from getting up. She was standing on the suspect's left side giving him commands to stay on the ground and to stop spitting at them. The suspect did not comply as he repeatedly turned from his right side to his left side attempting to spit on them. At that time, Deputy Escalera punched the suspect two times to the right side of the suspect's face. She said that after being punched, the suspect was trying even harder to kick and spit at Deputy Escalera. She said Deputy Escalera gave the suspect commands to stop fighting, but the suspect did not comply. Deputy Escalera then punched the suspect two times to his lower right side back. The body strikes had no effect on the suspect as he continued to kick and spit at them.

Deputy Renderos stated the suspect would not comply with Deputy Escalera's commands to stay on the ground. She said she used her left hand, to pin the suspect's face to the ground. Using her Freeze +P OC spray, she sprayed the suspect in his face for approximately one second. She stated that this had an immediate effect on him as his body became relaxed and he stopped resisting them. She said they made their exit from the room and notified their supervisors of the force used.

Deputy Renderos stated from the time the suspect was handcuffed, to the time the suspect stopped resisting, the incident lasted approximately one minute. She stated she has had previous contacts with the suspect, but nothing negative prior to this incident.

Deputy Renderos said Deputy Escalera went to Suspect Olivero's cell and located a bag of "pruno." She said although Suspect Olivero denied drinking or possessing "pruno," his [redacted] ([redacted]) admitted they both drank "pruno" prior to Suspect Olivero going to his visit (refer to Deputy **Renderos' transcripts, pages 24-26** and the Incident Report, **Exhibit A**).

Deputy Steven Escalera

Deputy Escalera was interviewed by IAB investigators on December 6, 2007, at 1458 hours. That interview was audio-recorded and summarized as follows.

Deputy Escalera has worked at Twin Towers since [redacted] in [redacted]. Deputy Escalera said he was inside the Officer's Booth of Module 252 when he heard yelling coming from the staging area. He said he turned around and saw Deputy Renderos had Suspect Olivero "up against the wall." It appeared to him that she was about to handcuff the inmate, so he went to assist her. When he arrived, the suspect was already handcuffed, but he was verbally abusive and belligerent toward Deputy Renderos as he yelled out, "Suck my dick," and, "Fuck you, bitch."

Escalera stated the Visiting and Outdoor Recreation Rooms are generally used for isolating uncooperative inmates. Since the inmates were already in the Visiting Room about to receive civilian visitors, and the suspect needed to be isolated from the other inmates, they decided to escort the suspect to the Outdoor Recreation Room. Deputy Escalera grabbed the suspect's right arm and Deputy Renderos grabbed his left arm as they walked the suspect toward the Recreation Room. Suspect Olivero continued to yell obscenities ("Fuck you guys. You don't know who you're messing with," and, "I'm going to kill you. I'll get my homies to kill you. I'm going to shoot you under the bridge.") and threats toward them. Deputy Escalera could smell alcohol on the suspect's breath and his first thought was that the suspect was drunk on "pruno."

Deputy Escalera stated that as they approached the door to the Recreation Room, he called for the door to be opened. The suspect kicked the door and then pushed backward against him and Renderos. They were able to maintain their grasps on the suspect. Again, he called for the door to be opened.

As they walked approximately five feet into the room, the suspect lunged forward, pulling away from their grasps. Simultaneously, the suspect turned sideways and kicked Escalera one time on his right knee while also spitting at them. To prevent from being further spat upon, Escalera lunged forward and pushed the suspect's face away from them. This caused the suspect to be off balance, so Escalera, using his right hand, grabbed onto the suspect's left arm. Using his left hand, he grabbed the suspect's shirt at the neckline and pulled him forward toward the concrete ground.

> **IAB Note:** The crime and supplemental reports indicate Deputy Escalera was kicked on his left knee. In my interview with Deputy Escalera, he said it was to his left knee, while pointing to his right knee. He clarified the error by saying that he in fact was kicked on his right knee. Although his right knee was sore that night, he stated he did not any medical treatment (refer to Deputy **Escalera's transcripts, pages 2, 3, and 11**, and his supplemental report, presented as **Exhibit B**).

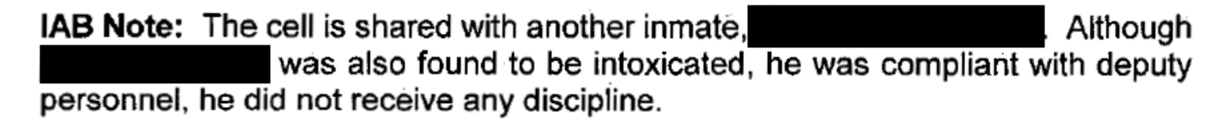
Prior to hitting the ground, Deputy Escalera said he released his hold of the suspect because he did not want to fall on top of him. He fell to the right side of the suspect, landing on his hands. The suspect landed on his chest/face area first. The suspect became combative while on the ground. Deputy Escalera fell to the suspect's right side near his upper torso. He was able to grab a hold of the suspect's right arm, but the suspect was moving from side to side, attempting to kick and spit at Deputies Escalera and Renderos as he continued to verbally assault and threaten them. Deputy Escalera gave commands to the suspect to stop fighting and spitting, but the suspect did not comply.

Deputy Escalera said while on the ground, he tried to maintain control of the suspect's upper and lower body, while not getting spat on. He said he could never get his entire body weight on the suspect, because the suspect was turning back and forth from one side to the other. To prevent the suspect getting up, Deputy Escalera applied pressure onto whatever side the suspect was trying to turn to as he gave commands to stop fighting. The suspect continued to disregard his commands, so to stop the suspect's assault on him, he punched the suspect twice on the right side of his face, since that was his closest target area. His punches had no effect on Suspect Olivero as he continued to kick and spit at them. Deputy Escalera then punched the suspect twice to his lower right back area (kidneys), believing this would cause him to stop fighting and comply with his orders.

Deputy Escalera stated this, again, had no effect on the suspect as the suspect continued to struggle by moving his body side to side, while he spat and cursed at them. Deputy Escalera then smelled O.C. spray and believed Deputy Renderos had just sprayed the suspect because approximately five seconds later, the suspect stopped struggling with him and complied with their commands to stop fighting. He and Deputy Renderos were then able to safely exit the room and notify his sergeant of the force.

Deputy Escalera said while he was on the ground struggling with the suspect, he saw Deputy Renderos standing on the opposite side of the suspect (left side). He said because he was preoccupied with the assaultive suspect, he did not witness any force used by Deputy Renderos. He estimated the struggle lasted approximately one to two minutes.

Deputy Escalera stated that based on the suspect's actions and behavior, he searched Suspect Olivero's cell and located "pruno."



> **IAB Note:** The cell is shared with another inmate, [redacted]. Although [redacted] was also found to be intoxicated, he was compliant with deputy personnel, he did not receive any discipline.

Deputy Escalera provided a diagram of the staging area for Module 252. This diagram is presented as **Exhibit G**.

SUSPECT INFORMATION:

OLIVERO, Angel Mario, MH/38, DOB: 07-27-69, 5'-07, 186 lbs., black/brown. He was arrested by the Los Angeles Police Department (Newton Div.) on September 10, 2007, for 69 and 3056 P.C. This arrest was a court reject.

[redacted].

Booking #9935850, [redacted], [redacted], [redacted].

Suspect Olivero is an active and documented "Clanton" (Los Angeles area) gang member. His moniker is "Speedy." [redacted].

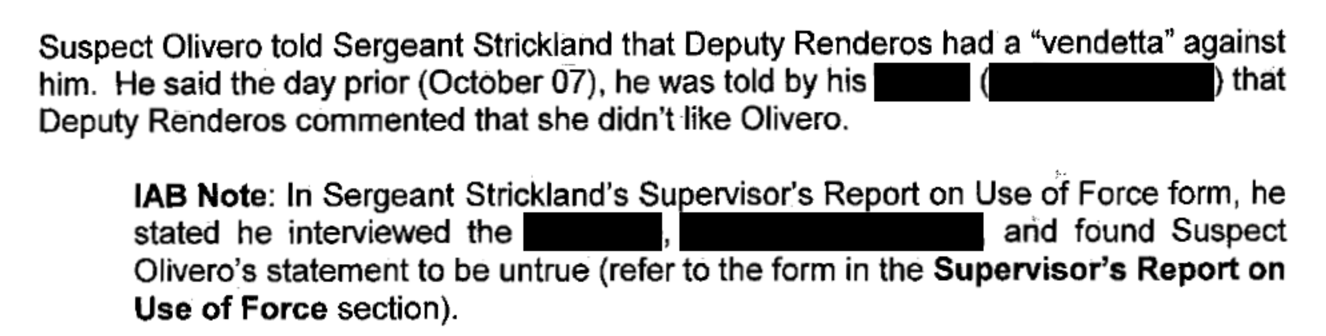
As an adult, Olivero was convicted on [redacted] These crimes included: [redacted], [redacted], [redacted], [redacted] For further, refer to his Consolidated Criminal History Reporting System (CCHRS), presented as **Exhibit D**.

SUSPECT STATEMENTS:

> ***IAB Note**: Suspect Olivero was interviewed after the incident at 1700 hours in the Tower Two clinic at Twin Towers Correctional Facility. The interview was conducted by the Watch Commander, Lieutenant Douglas Slaughter and Sergeant Michael Strickland. Suspect Olivero's demeanor was indignant and loud. His words were often slurred as he talked and yelled over the supervisors as they spoke. The following is a summary of that interview, which was video recorded.*

Suspect Olivero said he was on his way to the Visiting Room when for unknown reasons, Deputies Renderos and Escalera "beat him up" and "maced" him. He told Sergeant Strickland that he recalled the deputies giving him commands, and said he didn't "have a problem being "maced." Later in the interview, he stated he had no recollection of being handcuffed, being given verbal commands, and/or kicking the door. He said, "I remember doing a lot of things, and making a lot of noise," as he yelled out his name and booking number to Sergeant Strickland. Also, he said he did not recall kicking any deputy, saying, "No, do you got any film of that?" He denied drinking or possessing "pruno," saying, "No. What pruno?" When asked why he smelled like alcohol he said, "Must be one of your deputies."

Suspect Olivero stated that he receives medication once a day for high blood pressure and muscle relaxers to relax him. He said he did receive his daily dosage that day and that he has no side effects from those medications.



Suspect Olivero told Sergeant Strickland that Deputy Renderos had a "vendetta" against him. He said the day prior (October 07), he was told by his [redacted] ([redacted]) that Deputy Renderos commented that she didn't like Olivero.

> **IAB Note**: In Sergeant Strickland's Supervisor's Report on Use of Force form, he stated he interviewed the [redacted], [redacted] and found Suspect Olivero's statement to be untrue (refer to the form in the **Supervisor's Report on Use of Force** section).

Suspect Olivero complained of pain to the right side of his face from being "beat up and maced" by the deputies. Suspect Olivero's right eye and cheek area were swollen, and he had minor abrasions to his forehead.

> **IAB Note**: Initially, Sergeant Strickland documented Suspect Olivero's injuries on the Supervisor's Report on Use of Force form. Later, when TTCF personnel discovered that Suspect Olivero sustained a fractured jaw, IAB was re-notified. IAB investigators attempted to interview Suspect Olivero regarding his injury. However, he declined to be interviewed or to release his medical records. The Supervisor's Report on Use of Force form, page four, was updated to reflect Suspect Olivero's fractured jaw. Refer to the form in the **Supervisor's Report on Use of Force** section).

INJURIES:

Deputy Renderos was not injured in this incident.

Deputy Escalera was kicked once to his right knee. Although he had soreness the night of the incident, he had no further pain and declined medical treatment.

Suspect Olivero sustained a fractured jaw, minor abrasions to his forehead, and slight swelling to his right eye and cheek area. Refer to Olivero's Inmate Injury Report, **Exhibit H**. No still photos were taken at the time of the incident. The video remains available at IAB.

PHYSICAL EVIDENCE:

None.

INVESTIGATORS OBSERVATIONS:

None. The fractured jaw was not discovered until 24 days after the incident, at which time IAB became involved in the force review.

CRIMINAL INVESTIGATION CHARGES:

Investigator's Name:	Detective Rudy O' Dell, #[redacted], (M.C.J. - J.I.U.)
Court:	Criminal Courts Building, D.D.A. Allyson Sudar
Charges Filed:	Two counts of 71 P.C.
Case Number:	BA330506

Charges filed by the Los Angeles County District Attorney's Office against Suspect Olivero are documented within **Exhibit C**.

On January 15, 2008, Suspect Olivero pled "no contest" to one count of 71 P.C., the second count was dismissed. He was sentenced to three years state prison.

71 P.C. - Every person who, with intent to cause, attempts to cause, or causes, any officer or employee of any public or private educational institution or any public officer or employee to do, or refrain from doing, any act in the performance of his duties, by means of a threat, directly communicated to such person, to inflict an unlawful injury upon any person or property, and it reasonably appears to the recipient of the threat that such threat could be carried out, is guilty of a public offense punishable as follows: (1) Upon a first conviction, such person is punishable by a fine not exceeding ten thousand dollars ($10,000), or by imprisonment in the state prison, or in a county jail not exceeding one year, or by both such fine and imprisonment.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Renderos used control holds and Freeze +P O.C. spray.

Deputy Escalera used control holds, a take down, and his fists.

WEAPON USED BY THE SUSPECT:

Suspect Angel Olivero spat multiple times at both deputies; his spittle struck the shirt of Deputy Escalera one time. He attempted to kick the deputies many times and was successful with one kick, striking Deputy Escalera's right knee.

> **IAB Note**: Suspect Olivero received thirty days in lock-down because of his assault on Deputies Renderos and Escalera, as well as possessing and drinking pruno. Refer to Olivero's Inmate Discipline Report, **Exhibit I**.

MISCELLANEOUS:

After the force incident with Deputies Renderos and Escalera, and for the following two weeks, Inmate Olivero made several trips to the clinic and LCMC for pre-existing injuries and complaints of new pain. Initially, Suspect Olivero was taken to the TTCF clinic where

he was seen by Nurse Buenaventura for minor abrasions to his face and head he received during the incident. He was taken to LCMC for monitoring on 10-09-07 on returned to TTCF that evening. During the course of the next two weeks, Inmate Olivero made several trips to the clinic and LCMC for pre-existing injuries and complaints of new pain. On October 31, 2007, MCJ personnel discovered that subsequent X-rays of Inmate Olivero revealed that he had sustained a fractured jaw as a result of the incident with Deputies Escalera and Renderos.

> **IAB Note:** At the time of the incident, Inmate Olivero was on pain medication for a pre-existing injury. It is believed that the medication, coupled with Inmate Olivero's sobriety, played a part in the initial diagnosis to the extent of his injuries sustained during the incident between Olivero and Deputies Escalera and Renderos.